

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
BALTIMORE DIVISION**

TRACY CUNHA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	<b>VERIFIED COMPLAINT</b>
NORTHSTAR LOCATION	)	
SERVICES, LLC,	)	<b>(Unlawful Debt Collection Practices)</b>
	)	
Defendant.	)	

**PLAINTIFF'S VERIFIED COMPLAINT**

TRACY CUNHA ("Plaintiff"), through her attorney, FREDERICK NIX., alleges the following against NORTHSTAR LOCATION SERVICES, LLC ("Defendant"):

**INTRODUCTION**

1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. ("FDCPA").

**JURISDICTION AND VENUE**

2. Jurisdiction of this Court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."

3. Defendant conducts business in the state of Maryland; therefore, personal jurisdiction is established.

4. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

**PARTIES**

5. Plaintiff is a natural person residing in Pocomoke City, Worcester County, Maryland.

6. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).

7. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.

8. Plaintiff is informed and believes, and thereon alleges, that Defendant is a collections business with an office in Cheektowaga, NY.

9. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

### **FACTUAL ALLEGATIONS**

10. In or around November of 2011, Defendant began placing calls to Plaintiff, apparently in connection with the collection of an alleged debt.

11. On multiple occasions, Defendant has left voicemail recordings on Plaintiff's phone which do not contain meaningful disclosure of the caller's identity or the purpose of the call, or the admonishment that the call is an attempt to collect a debt and that any information obtained would be used for that purpose.

12. Defendant leaves voicemail recordings identified only as being from a "Judy Rodriguez from Northstar Location Services" and requesting a call back to "866-677-2569, extension 1258." (*See* transcript of voicemail recordings as Exhibit "A" hereto).

13. Defendant also leaves voicemail recordings from a "Robert" and requesting a callback to 866-677-2569, extension 1710.

14. No further information is provided on the recordings, and Plaintiff therefore has no meaningful way of ascertaining the purpose of the call or the business of the caller.

### **COUNT I: DEFENDANT VIOLATED THE FAIR DEBT**

**COLLECTION PRACTICES ACT**

15. Defendant violated the FDCPA based on, but not limited to, the following:
  - a. Defendant violated §1692e of the FDCPA through the use of false, deceptive, or misleading representation or means in connection with the collection of any debt; and
  - b. Defendant violated §1692e(11) of the FDCPA through the failure to disclose, in initial and subsequent communications with the consumer that the debt collector is attempting to collect a debt and that any information obtained will be used for that purpose.

WHEREFORE, Plaintiff, TRACY CUNHA respectfully requests judgment be entered against Defendant, NORTHSTAR LOCATION SERVICES, LLC, for the following:

16. Statutory damages of \$1000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k;
17. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k; and
18. Any other relief this Court deems appropriate.

RESPECTFULLY SUBMITTED,

By: /s/ Frederick Nix

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Attorneys for Plaintiff

**VERIFICATION OF COMPLAINT AND CERTIFICATION**

STATE OF MARYLAND     )  
  )  
COUNTY OF Worcester    )

Plaintiff, TRACY CUNHA, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, TRACY CUNHA, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

3-19-12  
Date

Tracy Cunha  
TRACY CUNHA

## **EXHIBIT A**

Tracy Cunha this is \_\_\_\_\_ Rodriguez calling from Northstar Location Services. I need to you contact my office at once, 866-677-2569 extension 1258

This confidential important message is meant solely for Tracy Cunha. My name is \_\_\_\_\_ Rodriguez I'm calling from Northstar Location Services if you can contact my office at once 866-677-2569 extension 1258.